

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**KENNEDY FUNDING, INC.,**

**Plaintiff**

**v.**

**RUGGERS AQUISITION AND  
DEVELOPMENT, LLC. ET AL.**

**Defendants**

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**Civil Action No. 07-669(FSH)**

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**JM REALTY & INVESTMENTS,**

**Plaintiff**

**v.**

**KENNEDY FUNDING, INC.,**

**Defendants**

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**Civil Action No. 07-218(FSH)**

**ORDER ON INFORMAL APPLICATION**

This matter having come before the Court by way of letter dated May 24, 2007, in which counsel for JM Realty and Ruggers attached a May 23, 2007 letter of Kennedy Funding, Inc. ["KFI"] that indicated that KFI had sought JM Realty and Ruggers' consent to keep confidential; and counsel for JM Realty and Ruggers having electronically filed KFI's letter before the request to keep it confidential had been resolved;

and the Undersigned determining that the May 24, 2007 letter shall be sealed until further order of the Court to enable KFI to be heard about its request to keep the contents confidential;

and the Undersigned having reviewed the May 23, 2007 letter of KFI and the list submitted for its review;

and it appearing that KFI has failed to comply with the requirements of the Order dated May 15, 2007;

IT IS THEREFORE ON THIS 25th day of May, 2007

ORDERED that the Letter of Counsel for JM Realty and Ruggers dated May 24, 2007 and the attachment thereto [07-669, Docket Entry No. 42, 07-218 Docket Entry No. 38] shall be sealed until further order of the Court; and

IT IS FURTHER ORDERED that all parties shall appear in-person before the Undersigned on **May 29, 2007 at 9:00 a.m.** to explain: (1) why KFI failed to comply with the Order dated May 15, 2007; and (2) why counsel for JM Realty and Ruggers electronically filed a document knowing that KFI had requested that it be kept confidential.

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s/Patty Shwartz

**UNITED STATES MAGISTRATE JUDGE**